



**Winston H. Hickox**  
Secretary for  
Environmental  
Protection

# California Regional Water Quality Control Board

## Los Angeles Region

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**Gray Davis**  
Governor

### DRAFT

#### **Los Angeles Regional Water Quality Control Board Minutes of the February 22, 2001 Board Meeting The Metropolitan Water District of Southern California 700 North Alameda Street, Los Angeles, California**

### INTRODUCTION

1. The meeting was called to order by Chairman Nahai at 9:15 a.m.

### Board Members Present

Susan Cloke, Francine Diamond, Bradley Mindlin, H. David Nahai, Larry Kosmont, Christopher Pak

### Board Members Absent

Robert Miller, and Timothy Shaheen

### Staff Present

Dennis Dickerson, Jorge Leon, Robert Sams, Deborah Smith, Dennis Dasker, Arthur Heath, Dixon Oriola, Jonathan Bishop, Ronji Harris, Laura Gallardo, Jack Price, Morton Price, Paula Rasmussen, David Koo, Hugh Marley, Mark Pumford, Cassandra Owens, Marianne Yamaguchi

### Others Present

Mark Gold, Heal the Bay  
Mitzi Taggart, Heal the Bay  
Steven Braband, California Onsite Wastewater Association  
Jim Colbaugh, Las Virgenes Municipal Water District of Southern California  
Sharon Rubalcava, Weston Benshoof  
Ron Zinner, GATX  
John Embick, TOSCO  
Joe Mayer, Resident  
Greg Giloren, City of Ventura  
Phyllis Papen, Goof Relations Services  
Matt Lao, Caltrans

Steve Fleischli, Santa Monica Baykeeper  
Paul Tantet, Bio Solutions  
Larry Forester, Vice Mayor, Signal Hill  
Joyce Clark, Metropolitan Water District of Southern California  
Mary Rutledge, Asbury Environmental  
Vicki Conway, Los Angeles County Sanitation District  
Martin Medina, Equilon Enterprises  
Mike Spence, California Taxpayer Protection Committee  
Eileen Ansari, City of Diamond Bar

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**California Environmental Protection Agency**



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*Our mission is to preserve and enhance the quality of California's water resources for the benefit of present and future generations.*

**Pledge of Allegiance.**

1. Roll Call

*A roll call was taken.*

2. Order of Agenda.

*The Executive Officer, Dennis Dickerson recommended the following changes to the Agenda.*

- *Remove Item 4, (Approval of 1999/2000 Annual Report) will be heard at the next meeting*
- *Add Item 6B (Customer Service Award)*
- *Remove Item 9.1 (Gill Onions)*

*There was a motion to adopt the changes to the Agenda.*

MOTION: By Ms. Cloke, seconded by Mr. Mindlin, and approved on a voice vote.

3. Approval of Regular Meeting Minutes of January 11, 2001 and January 25, 2001.

MOTION: By Ms. Cloke, seconded by Ms. Diamond, and approved on a voice vote.

4. Board Member Ex Parte Communication Disclosure.

*There was nothing reported on this matter. However, the Members discussed some communication, and invitations received from parties to attend a workshop, and other events in the future.*

*Jorge Leon, Regional Board Counsel, clarified the kinds of matters that need to be disclosed at the Board meetings.*

5. Public Forum.

*Jim Colbaugh, Las Virgenes Municipal Water District inquired about a provision to the permit to move the discharge location. He also informed the Board that Las Virgenes Municipal Water District had been applying for grant funding for the new monitoring program, but unfortunately the monitoring is too expensive, and does not meet the criteria of various State agencies to receive the grants. He asked the Board staff to assist with this effort.*

*Chairman Nahai asked Board staff to respond to this matter.*

*Deborah Smith, Assistant Executive Officer stated that the Executive Officer has the authority to modify the permit for the monitoring program.*



6. Customer Service Award.

*Chairman Nahai presented Ana Veloz -Townsend with this quarter's Customer Service Award.*

7. Consent Calendar.

*There was a motion to adopt the consent calendar at 8.1, 9.2, 9.4 through 9.29.*

MOTION: By Ms. Cloke, seconded by Ms. Diamond, and approved on a voice vote.

WASTE DISCHARGE REQUIREMENTS

9.3 United Foods Inc. (Picsweet Mushroom Farms).

*Mark Pumford gave the staff presentation. He gave a chronology of stormwater events, and informed the Board that the discharger (Picsweet Mushroom Farms) submitted comments to staff. Mr. Pumford stated that in those comments the discharger indicated that they cannot meet the limits in the permit and requested a postponement. He also informed the Board that a change sheet was made with modifications.*

*Board Member Diamond made expressed her concerns on the issue of "spent compost", referring to Page 9-56, Provision 3 of the proposed requirements.*

*Board Member Cloke asked if there is a re-opener in the permit. She also asked if there is a way to put a numeric value on the compost ponds?*

*Mr. Don Watt, United Foods (Picsweet Mushroom Farms), stated that he believes an agreement can be reached with Board staff. He stated that they will remain in compliance during the interim period. He responded to the Board's concerns about odors by stating that Picsweet is working on eliminating the odors, but are not certain which odors are from Picsweet, and which odors may be adjacent. He stated that the reduction of these odors will be included in the future Time Schedule Order (TSO).*

*Ms. Diamond, Board member, had concerns about the proposed permit being presented to the Board without the TSO, which is expected to be brought before the Board in March 2001.*

*Chairman Nahai made a motion to defer this matter to the March 2001 Board meeting, along with the TSO.*

MOTION: By Chairman Nahai, seconded by Ms. Cloke, and approved on a voice vote.

*The Board took a break at 11:20 a.m.  
The Board reconvened at 11:50 a.m.*



10.A Draft Recommendation of the Santa Monica Bay Restoration Project Septic System Management Task Force.

*Mark Gold, representing the Septic System Management Task Force, gave the Board information on the sampling results from Northern Santa Monica. He also talked about septic system regulation, and other issues the task force has addressed.*

*Steve Groner, contract employee for Santa Monica Bay Restoration Project (SMBRP), talked about waste discharge requirements. He recommended the establishment of a program to ensure septic system waste discharges are addressed, and to establish a comprehensive permitting program for the operation, inspection and monitoring of septic systems. He suggested we design and implement a regional monitoring program to determine impacts to groundwater and to identify potential pollution sources.*

*Marianne Yamaguchi, SMBRP, recommended there be a Resolution drafted to support recommendations analyzing ways to implement the recommendation and address AB885. In conclusion, she indicated that the Task Force was able to develop consensus, find workable solutions, and develop a comprehensive set of recommendations – based on collective insight.*

*Board member Cloke commended staff for the work being done in the Santa Monica Bay.*

*The Board took a lunch break at 12:45 p.m.*

*The Board reconvened at 2:15 p.m.*

10.B Consideration of tentative General Waste Discharge Requirements (WDRs) for the discharge of commercial and residential wastes to small commercial and multifamily sewage disposal systems.

*Dennis Dickerson, Executive Officer, briefed the Board on this matter. He stated that the Board had previously directed staff to address the WDR issues, and fine tune a proposal.*

*Dennis Dasker, Assistant Executive Officer gave the staff presentation. Mr. Dasker addressed the septic systems, what they consist of, and clarified that there are over 100,000 homes in our region that rely on septic systems, mostly single family homes.*

*Paula Rasmussen, Chief of the Enforcement Section, expounded on the benefits of a General permit. She stated that the General permit will cover existing and future discharges, but the Board asked the Board to determine which permit is more suitable for the facilities. (i.e. general permit, or individual permit). Ms. Rasmussen discussed the monitoring and reporting requirements, provisions, and the comments received from Heal the Bay. Staff recommendation is the Board adopt the WDR with "attachment A" as proposed.*



*Mark Gold, Heal the Bay, strongly supports the staff recommendation. Mr. Gold commended staff on the Groundwater separation issue in the permit, which he believes to be critical to the permit. Mr. Gold believes there should be an "Implementation Plan" to get this program off the ground.*

*Paul Tantet, Bio Solutions, Inc., commended Board staff, and the Septic System Task Force.*

*Steve Fleischli, Baykeeper, expressed his appreciation to Mr. Dickerson, Executive Officer, and Mr. Dasker, Assistant Executive Officer for their efforts on this matter. Mr. Fleischli believes that there will be a challenge to getting people to comply with the program, but he definitely supports the General WDR.*

*Steven Braband, Bio Solutions, Inc., representing California Wastewater Association addressed Page 10-15 of the tentative WDR, and commended Board staff for their work with this effort. He stated that he believes that it will be a real challenge for treatment and disinfectants in the WDR.*

*Dennis Dickerson, Executive Officer, addressed the concerns of Heal the Bay regarding the General WDR. He clarified that staff went into the community distributing hand-outs, and inviting the public to the WDR Workshop, but on one attended.*

*Dennis Dasker mentioned the waivers that are fifty years old, are now being reviewed and updated. He stated that the waivers will no longer be overlooked. He also reiterated that "discharges are a privilege, and not a right".*

*Board member Diamond inquired about the rationale of a 10 year limit for a permit, she stated that this seems to be a long time for a permit.*

*Dennis Dasker responded to Ms. Diamond.*

*Jorge Leon, staff counsel, responded to Ms. Diamond from a legal standpoint.*

*After much discussion by the Board, Chairman Nahai made a motion to adopt staff recommendation with changes as follows:*

- *Page 10-12, Paragraph B-1, insert "Is above 20 feet that the Executive Officer must consider whether it would be more appropriate and in the interest of water quality to individually permit that particular facility rather than allowing it to proceed under the general permit."*
- *Page 10-16, with respect to "odor", change to "detectable", and delete the rest of the sentence.*
- *Include direction to the EO "Notwithstanding the Board's acceptance and approval of the 20,000 gallon threshold in the general permit, that with respect to any multifamily or small business that is located in an environmentally sensitive area," (staff will define an environmentally sensitive area).*



- *Page 10-18, change the word "should" in paragraph 10, to "shall"*
- *Page 10-15, section 4, insert the word "new" at the beginning of sentence*
- *Page 10-23, add "The Executive Officer is hereby authorized under his/her discretion to prescribe the monitoring program".*

MOTION: By Chairman Nahai, seconded by Ms. Diamond, and approved on a voice vote.

12. Consideration of Complaint No. 00-152 to assess Mandatory Minimum Penalties against Pnuemo Abex Aerospace, Inc. for violation of its Waste Discharge Requirements.

*There was a motion to adopt the hearing panel's recommendation.*

MOTION: By Ms. Cloke, seconded by Mr. Mindlin, and approved on a voice vote.

#### **INFORMATION ITEMS**

14. Workshop on Refinery Permitting Issues.

*Mark Pumford discussed the major permit changes, and CTR based limits. He also addressed the State Implementation Plan.*

*Terry Oda, USEPA supports the staff recommendation. He stated that the Board should consider an individual permit for refineries, and a general permit for tank farms. He also mentioned that refineries have other pollutants that are not listed on the 303(d) list.*

*Steven Arita, Western States Petroleum Association (WSPA), expressed his appreciation to the Board and staff. His stated that WSPA will participate in a stakeholders group for TMDLs in the near future.*

*Brian Wahl, Counsel to WSPA, stated that WSPA does not support a General Permit.*

*Anita Mangels, Alliance for Water Quality asked the Board to reconsider the permitting process as it currently stands.*

*Stan Holm Exxon Mobil stated he strongly support WSPA's comments in regards to TMDL-based compliance. He also stated that Exxon Mobil supports the stakeholders group at Dominguez Channel.*

*Steve Fleischli, Santa Monica Baykeeper made comments on the Tosco Order, and that the final decision will be heard on March 7, 2001. He does support a General Permit for refineries.*

*Mitzi Taggart, Heal the Bay, stated that she had reviewed permits last fall and had a number of comments. She does not believe that General Permits should be issued for*



*refineries, but are fine for tank farms. She also mentioned that Dominguez Channel is highly impaired waterbody, and is impaired for 12 contaminants.*

Others who spoke on this matter:

Vicki Conway, Los Angeles County Sanitation District  
Lyly Tischner, Consultant for Exxon Mobil  
Larry Forester, City of Signal Hill

24. Adjournment of Current Meeting.

*The meeting adjourned at 6:00 p.m. The next regular meeting is scheduled for March 29, 2001, at the Richard H. Chambers, U.S. Court of Appeals, 125 S. Grand Ave., Pasadena, at 9:00 a.m.*

Minutes adopted at the \_\_\_\_\_ Regular Board meeting  
submitted/amended.

Written and submitted by: \_\_\_\_\_.

